

**BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION  
STATE OF FLORIDA**

INQUIRY CONCERNING A JUDGE  
MATTHEW E. McMILLAN

SC CASE NO.: 95,886  
00-703

99-10 AND and No. 00-17

**RESPONDENT'S MOTION FOR EXTENSION OF TIME  
TO FILE RESPONSE TO SHOW CAUSE ORDER**

COMES NOW Respondent, MATTHEW E. McMILLAN, by and through his undersigned counsel, and files this Motion for Extension of Time to File Response to this Court's Order to Show Cause dated January 12, 2001 pursuant to Rule 2.135, Florida Rules of Judicial Administration and Rule 9.300, Florida Rules of Judicial Administration and Rule 9.300, Florida Rules of Appellate Procedure and as grounds therefor state the following:

1. This Court's Show Cause Order dated January 12, 2001 required Respondent to show cause on or before February 1, 2001 why the recommended action should not be granted. This Request was granted and the extended date is now February 16, 2001.
2. At the time the Request was made and granted it was not anticipated that the undersigned would be in the trial of United States of America v. Audley Evans, Case No. 8:00-CR-75-30A pending in the U.S. District Court in the Middle District of Florida, Tampa Division.
3. The undersigned is the only attorney representing the interest of Mr. Evans in those proceedings. Mr. Evans is the key defendant in the proceedings. The Federal criminal trial began on February 5, 2001, and it is not anticipated that the trial will conclude until sometime after February 20, 2001.
4. Marvin Barkin, Esq., counsel for the Judicial Qualification Commissions agreed that an extension would not prejudice the prosecution nor delay these proceedings.
5. The undersigned is the only attorney who has represented the interests of Judge McMillan. The primary issues before this Court involve Case No. 00-703.

WHEREFORE, Response respectfully requests this Court enter an order granting him an additional five (5) days beyond February 16, 2001 within which to file Respondent's response to the Show Cause Order.

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via facsimile and by U.S. Mail to Marvin E. Barkin, Esq., 101 E. Kennedy Blvd., Suite 2700, Tampa, FL 33602, John Beranek, Esq., 227 S. Calhoun St., Tallahassee, FL 32301, Thomas C. McDonald, Jr., 100 N. Tampa Street, Suite 2100, Tampa, FL 33602, Lance C. Scriven, Esq., 633 N. Franklin St., Suite 600, Tampa, FL 33602, Scott Tozian, Esq. 109 N. Brush St., #150, Tampa, FL 33602, to Brooke Kennerly, Florida Judicial Qualifications Commission, Room 102, The Historic Capitol,

Tallahassee, FL 32399 and via Federal Express to the Florida Supreme Court this \_\_\_\_ day of  
February, 2001.

LEVINE, HIRSCH, SEGALL & BRENNAN,  
P.A.

By:

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